

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

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TA CHEN INTERNATIONAL, INC., a
California corporation doing business as
Sunland Shutters,

Plaintiff,

vs.

BARRY ALBERT, an individual; RICHARD
GASKEY Jr., an individual; R. G. DESIGNS,
INC., a California corporation; R. G.
DESIGNS, INC., d/b/a "Poly Technologies", a
California corporation; POLY
TECHNOLOGIES, INC., a California
corporation, and DOES 1 through 20, inclusive,

Defendants.

) Case No.: CV-11-03325-SVW-(SHx)

) Case Assigned to:

) Honorable Stephen V. Wilson
) United States District Judge

) Courtroom 6

**JUDGMENT RE PERMANENT
INJUNCTIONS PURSUANT TO
STIPULATIONS**

Plaintiff, TA CHEN INTERNATIONAL, INC., a California corporation, having entered
and caused to be filed herein separate stipulations with each of Defendants, BARRY ALBERT,
an individual; RICHARD GASKEY Jr., an individual; R. G. DESIGNS, INC., a California
corporation; R. G. DESIGNS, INC., doing business as "Poly Technologies", a California
corporation; POLY TECHNOLOGIES, INC., a California corporation, for entry of judgment
for permanent injunctions with respect to the Complaint herein on file, and, good cause
therefore appearing, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as
follows:

~STIPULATED PERMANENT INJUNCTIONS~

1
2 1. Defendants, Richard Gaskey, Jr.; R. G. Designs, Inc.; and R. G. Designs, Inc., doing
3 business as "Poly Technologies"; and Poly Technologies, Inc., hereafter
4 individually and collectively referred to as "Said Defendants", shall be, and are,
5 hereby permanently restrained, enjoined and ordered as follows:
6

7 a. Said Defendants, and each of them, shall immediately and forever cease and
8 desist from commercial use of the "Poly Tech", "Poly Tec", "Poly
9 Technologies" and/or "PolyTechnologies" names, whether as a corporate name,
10 fictitious business name, product name, trade name, or promotional name in any
11 way connected with window shutter products or window shutter systems. In
12 connection with such cessation, Defendants shall forthwith cause to be
13 published and filed (in all jurisdictions wherein they have caused the names to
14 be filed) abandonments of the fictitious business names "Poly Technologies"
15 and/or "PolyTechnologies"; further, Defendant, Poly Technologies, Inc., a
16 California corporation, shall forthwith cause its dissolution or its name to be
17 changed such that the words "Poly Tec", "Poly Tech", or "Poly Technologies"
18 are no longer part thereof;
19

20 b. Each of the Said Defendants shall forthwith notify in writing, via U.S. Mail or
21 email, all customers and potential customers with whom any of Defendants have
22 promoted and/or sold window shutter products using the "Poly Tech", "Poly
23 Technologies" or "PolyTechnologies" name(s) and shall state therein that
24 Defendants are (i) not affiliated with Poly Tec ®, Ta Chen International, Inc.,
25

1 and/or Sunland Shutters; (ii) do not sell Poly Tec ® products; and, (iii) are not
2 authorized to use the Poly Tec ® trademarks or trade names; and,

3 c. Said Defendants, and each of them, shall immediately and forever cease using
4 Ta Chen International, Inc., , Sunland Shutters, and/or Poly Tec ® promotional
5 materials, product samples and specifications, and shall deliver to Ta Chen
6 International, Inc, all such materials, samples and specifications, if any, now
7 held under the control of, or in the custody, possession of Defendants, or any of
8 them.
9

10 2. Defendant, BARRY ALBERT shall be, and is, hereby permanently restrained,
11 enjoined and ordered as follows:

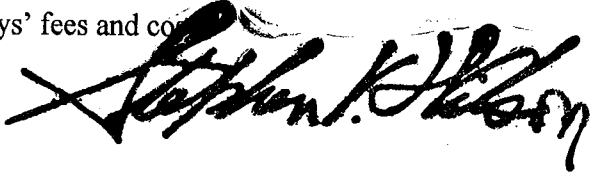
12 a. Defendant Barry Albert shall immediately and forever cease and desist from
13 commercial use of the "Poly Tech", "Poly Tec", "Poly Technologies" and/or
14 "PolyTechnologies" names, in any and all contractions, combinations or capacities,
15 whether as a corporate name, fictitious business name, product name, trade name, or
16 promotional name in any way connected with window shutter products or window
17 shutter systems, unless such use is authorized in writing by Ta Chen International,
18 Inc.; and,

19 b. Defendant Barry Albert shall not commercially use for direct or indirect benefit
20 of any himself and/or any other person, thing or entity except Plaintiff Ta Chen
21 International, Inc., the trade names, images or likenesses of "Poly TEC"® or
22 "POLYTEC"®, whether with a designation of a registered trademark or not, unless
23 such use is pursuant to authorization in writing from Ta Chen International, Inc.
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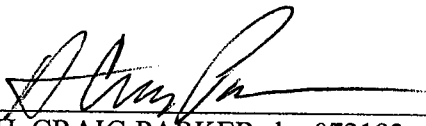
1 The Clerk of the Court shall enter the foregoing as the Judgment of this Court in the above-
2 captioned matter.

3 Each party shall bear his or its own attorneys' fees and costs.

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5 Dated: 1/5/12, 2011


Honorable Stephen V. Wilson
United States District Judge

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10 Prepared and Submitted by:

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